



ID# 13048
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House of Representatives

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The Honorable Dan Morales
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Opinion Committee

Dear General Morales:

The 72nd Legislature is considering the enactment of a bill that would permit certain gaming activities in Texas waters. Concern has been raised regarding the effect that such a bill would have on the authority of Indian tribes to conduct such gaming activities in Texas also. Consequently, I submit to you the following three questions:

1. If the legislature enacts a bill that would permit gambling within Texas waters that would be regulated by the state, would such gambling activity also be permitted on Indian reservations in Texas?
2. If the legislature enacts a bill that would confer authority not on the state, but rather on either counties, cities or special districts to regulate such gambling activity, would such gambling activity also be permitted on Indian reservations in Texas?
3. If the answer to the first two questions is "Yes," would an Indian tribe or members of an Indian tribe that purchase real property that does not comprise part of an Indian reservation be permitted to conduct a gambling enterprise on that property?

Because the proposed bill is before the special session, I would appreciate an expedited answer. Thank you in advance for your assistance on this matter.

Yours very truly,

James F. Hury, Jr.